

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

KEVIN J. RASMUSSEN

Defendant.

CASE NUMBER: 8:05CR280-001

USM Number: 07210-029

JESSICA L. MILBURN

DEFENDANT'S ATTORNEY

**JUDGMENT IN A CRIMINAL CASE**

(For Revocation of Probation or Supervised Release)

**THE DEFENDANT** admitted guilt to violation of Standard Condition #7 of the term of supervision.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1	The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.	August 2, 2016

Original Offense: 21:846 - Conspiracy to distribute controlled substance.

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Allegations 2 and 3 of the 3<sup>rd</sup> amended petition [115], the 2<sup>nd</sup> amended petition [108], the amended petition [99], and the first petition [88] are dismissed on the motion of the United States.

Following the imposition of sentence, the Court advised the defendant of the right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within fourteen (14) days of this date pursuant to Fed. R. App. P. 4.

The defendant shall cooperate in the collection of DNA, pursuant to Public Law 108-405 (Revised DNA Collection Requirements under the Justice for All Act of 2004).

**IT IS ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:  
October 25, 2016

*Richard G. Kopf*  
Senior United States District Judge

October 26, 2016

### IMPRISONMENT

It is ordered the defendant's term of supervised release is revoked. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **12 months and 1 day with no supervised release to follow.**

The Court makes the following recommendations to the Bureau of Prisons:

1. In the strongest possible terms that the defendant be placed at FMC-Rochester, Minnesota, because the defendant is a severe Type I Diabetic and he has MRSA.

The defendant is remanded to the custody of the United States Marshal.

### ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Defendant

### RETURN

It is hereby acknowledged that the defendant was delivered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES WARDEN

BY: \_\_\_\_\_

**NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt, above.**

### CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
UNITED STATES WARDEN

BY: \_\_\_\_\_

### **SUPERVISED RELEASE**

No term of supervised release is imposed.

### **CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

**Total Assessment**

**Total Fine**

**Total Restitution**

\$100 (Paid)

The Court has determined that the defendant does not have the ability to pay interest and it is ordered that interest requirement is waived.

### **FINE**

No fine imposed.

### **RESTITUTION**

No restitution imposed.

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CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed:\_\_\_\_\_

DENISE M. LUCKS, CLERK

By \_\_\_\_\_Deputy Clerk